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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|----------------------------|-------------|----------------------|---------------------|------------------|
| 10/630,929 | 07/31/2003 | Eizaburo Watanabe | 1186.1017D | 9501 |
| 21171 | 7590 | 08/10/2005 | | EXAMINER |
| STAAS & HALSEY LLP | | | HODGES, MATTHEW P | |
| SUITE 700 | | | | |
| 1201 NEW YORK AVENUE, N.W. | | | ART UNIT | PAPER NUMBER |
| WASHINGTON, DC 20005 | | | 2879 | |

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|------------------------|--------------------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/630,929 | WATANABE ET AL. <i>(RW)</i> |
| | Examiner | Art Unit |
| | Matt P. Hodges | 2879 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 24 May 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 11,13 and 14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 11,13 and 14 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 31 July 2003 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____

DETAILED ACTION

Response to Amendment

The Amendment, filed on 5/24/2005, has been entered and acknowledged by the Examiner.

Cancellation of claims 1 and 2 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 11 is rejected under 35 U.S.C. 102(e) as being anticipated by Okumura et al. (US 6,100,633).

Regarding claim 11, Okumura discloses (see figure 2) a plasma display panel including, a substrate (2), an address electrode (4), and a barrier rib structure (3). The barrier rib structure is a recessed structure where the recess is formed between each of the barrier ribs. The bottom portion of the barrier rib is strait on both sides and a second portion that is tapered is formed on top of the bottom portion to form the barrier rib structure. Further there is a reflective layer (11) that reflects light from the substrate from all areas except the top of the barrier rib structure. Therefore it is inherent that the back light is at least 50% reflective to incoming light.

Claims 13 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Tadaki et al. (US 2001/0054871 A1).

Regarding claims 13 and 14, Tadaki discloses (see figure 5A) a plasma display panel including, a substrate (21), an address electrode (A), a U-Shaped dielectric layer (34) covering the address electrode, and a barrier rib sub-structure (29). The barrier rib sub-structure is coated by portions of the dielectric layer (34) that are formed perpendicular to the substrate and together form the barrier rib structure. (Paragraph 0053). The dielectric layer includes titania flake and is at least 65% reflective (See Table 3), leading to a back substrate that is at least 50% reflective under of a condition of the phosphor not being coated. Further the dielectric layer is formed from a composition of a low melting point glass frit where the frit is dried and then sintered. (Paragraph 0057).

The Examiner notes that the claim limitation that the rib-forming paste is “ultraviolet-cured and heated“ is drawn to a process of manufacturing which is incidental to the claimed apparatus. It is well established that a claimed apparatus cannot be distinguished over the prior art by a process limitation. Consequently, absent a showing of an unobvious difference between the claimed product and the prior art, which also is dried and heated, the subject product-by-process claim limitation is not afforded patentable weight (see MPEP 2113).

Response to Arguments

Applicant's arguments filed 5/24/2005 have been fully considered but they are not persuasive.

Regarding applicant's assertion that the barrier rib structure disclosed by Okumura does not meet the bottom substrate of the applicant's invention, the examiner respectfully disagrees. All limitations of claim 11 are met by the prior art. Further with regards to applicant's assertion that the prior art does not disclose a reflective dielectric layer, the examiner finds no requirement for a reflective or partially reflective dielectric layer in the claim language of claim 11. The reflective layer (11) of the prior art however does in effect reflect at least 50% of the light on the substrate before a phosphor is coated.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 2879

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matt P Hodges whose telephone number is (571) 272-2454. The examiner can normally be reached on 7:30 AM to 4:00 PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mph *MH*

Karabi Guharay

**KARABI GUHARAY
PRIMARY EXAMINER**